

**BOROUGH OF WIND GAP  
545 EAST WEST STREET  
WIND GAP, PA 18091  
863-7288  
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**EXECUTIVE SESSION**

Council adjourned to Executive Session at 7:30 p.m. to discuss real estate. Council reconvened at 7:46 p.m. Council President, George Hinton, informed those present that no action will be taken at this time.

The Council meeting of the Borough of Wind Gap on Monday, July 6, 2015, was called to order at 7:50 p.m. by Council President, George Hinton, at which time he reminded those present that the meeting was being recorded. In attendance were Councilmen: Jon Faust, David Valley, Kerry Gassler, Tony Curcio, Joe Weaver, and Dave Hess. Also in attendance were Mayor James Shoemaker, Borough Solicitor Ronold Karasek, Borough Engineer Brian Pysher and Borough Administrator Louise Firestone.

**PUBLIC COMMENT**

Guy Findon stated that there is trash, furniture, appliances, and an abandoned swimming pool at 27 Lincoln Street. He said that the property have been vacant for nine months. Periodically, one of the owners will come out and mow the lawn. His main concern is the pool that is three quarters full with stagnant water and mosquito lava in it. Brian Pysher said that he will send out an Enforcement Notice.

**APPROVAL OF MINUTES**

**On motion** by Kerry Gassler to approve the minutes of the June 16, 2015 Council meeting and seconded by Tony Curcio. Roll call vote taken. In favor: T. Curcio, K. Gassler, D. Hess, G. Hinton, D. Valley, J. Weaver. Abstained: J. Faust. Motion carried with a vote of 6-0-1.

**APPROVAL OF EXPENSES**

**On motion** by Kerry Gassler to approve the expenses for the month of June in the amount of \$69,869.59 and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

**On motion** by Kerry Gassler to approve the expenses for the salt shed, now 50 % completed, in the amount of \$55,266.50 and seconded by Dave Valley. Roll call vote taken. Motion carried unanimously.

**SOLICITOR'S REPORT**

Ron Karasek reported that all the matters being handled by his law office for the Borough during the month of June are outlined in a report. The report includes the meetings attended as Borough Solicitor.

**Subdivision Matters:** N/A.

**Land Development Matters:** Receipt and Preliminary Review of File re Green Knights Sketch Plan – Industrial Park.

**Zoning and Other Land Use Matters:** Receipt, review and Administration of ZHB Decision re Auto Zone Variances.

Receipt, Review, and Administration of e-mails from Borough and Obtain Template for Citation by Borough Code Enforcement Officer re 59-61 North Lehigh Avenue.

Search of Northampton county computer Search for Tax Parcel and Deed Information. Review and Copy of Application for Zoning Ordinance Provisions and Receipt. Review and Administration of Application for Zoning Permit with copy of Denial Letter re Pennsylvania Media Management – Double Faced Digital Billboard on Male Road.

**Developments on Outstanding Litigation:** Receipt, Review and Administration of Northampton County Opinion and Order of Court granting Borough Fire Company's Preliminary Objection to Dalmatian Fire Collection Complaint re Resulting in Dismissal of Claim by Dalmatian for Attorney's Fees.

**Court Decisions on Borough Cases:** N/A.

**Miscellaneous:** Telephone Conference and e-mails to and from Borough EIT B. Pyscher and Resident K. Guerin re K. Guerin Correspondence and Complaints.

Telephone Conferences with council President and Potential Buyer re 435 North Broadway (Ambulance Building).

Receipt, Review and Administration of File and Letter of Intent to Purchase (with accompanying e-mails) from Evans re 435 North Broadway (Ambulance Building).

Preparation of Monthly Solicitor's report.

Review various correspondence, e-mails, prepare letter and make and receive telephone calls.

**Outstanding Items:**

Home Occupation, Clear Site Triangle (and related) Zoning Ordinance Amendments.

Stop Sign Ordinance

Dog Park Ordinance

Fire Company Ordinance

Dentith storm water counterclaim (filed in response to Borough's injunction lawsuit and request for Borough's expenses) – no action taken and remains pending.

Ordinance for loitering, begging, and panhandling – pending but inactive.

Ordinance for reimbursement of equipment, materials and supplies in responding to environmental, hazardous, safety or rescue events (police, fire or both?) - pending but inactive.

Attorney Karasek reported that the court denied Dalmatian Fire Equipment's request for payment of attorney's fees so the company will not be allowed to make a claim against the Wind Gap Fire Company for those fees. At this point, Dalmatian Fire has twenty (20) days to file an Amended Complaint in accordance with the court order. As soon as that Complaint has been received, he will be in touch as a responsive pleading to that lawsuit will need to be filed.

He reported that he spent time reviewing the Auto Zone variance and discussing the billboard that sits on the property adjacent to Route 33 and Male Road with the Borough Engineer/Zoning Officer Brian Pyscher.

**ENGINEER REPORT:**

Brian Pyscher reported that the Salt Shed is moving along as planned. A Change Order was made to increase the apron from 10 feet by 40 feet to 25 feet by 40 feet. Brian stated that all the prep work will be completed this week in order to pour the concrete next Tuesday.

**COMMITTEE REPORTS**

1. EMS – Kerry Gassler reported that he attended the June 19, 2015 meeting. They met with Nazareth, Bushkill, West End, and Suburban regarding 24 hour coverage.

2. Fire Company – Jon Faust had nothing to report.

3. Zoning – Tony Curcio reported that no new applications were submitted so there will not be a Zoning Hearing Board meeting in August.

Brian Pysker stated that he sent a Cease and Desist letter to the new owners of 208 Center Street. He added that the property owners requested a Zoning Hearing Board Application. If a completed variance application is received there will be a meeting the second or third week in August.

Brian gave a memo to Council outlining the history of the South Broadway lot that is being considered as a future site of AutoZone in front of the Burger King. AutoZone requested a total of seven (7) variances and all but one were granted. The Zoning Hearing Board did not grant a variance for the minimum yard requirements. The proposed building was located only 5' from the southerly property line and the minimum setback according to the Borough's Zoning Ordinance is 25'. The applicant's professionals conducted parking counts during peak periods and submitted a report that indicated the existing parking located on the Burger King property was adequate to fulfill their parking requirements. The variance for the reduction in the parking was a concern raised by members of Council. Since variances typically run with the property, it is possible that some other development could utilize this variance, even though the AutoZone project may not move ahead. Council discussed whether to appeal the Zoning Hearing Board's decision to the Northampton County Court of Common Pleas. Attorney Karasek explained that in order to appeal the Borough may have to hire their own traffic expert in order to rebut the parking issue. It is common practice that during an appeal hearing only new testimony is heard by the Court. The consensus of Council was not to appeal the decision.

4. Planning – George Hinton reported that the Green Knight Economic Development Corporation submitted a sketch plan for an Industrial Park off of Male Road, parallel with Route 33. Their sketch plan indicates five (5) more commercial buildings. They are interested in the property that is lying in the Borough of Wind Gap and the Townships of Plainfield and Bushkill. George stated that no definite plans have been submitted. The condition of the bridge on Male Road did come up in conversation. Currently, there is a weight limit on the bridge and with increase traffic on the bridge the Borough may need to ask for help with maintenance.

5. Municipal Authority – Joe Weaver reported that the new hire is doing very well. The Municipal Authority has put the North Broadway project out to bid, which includes North Broadway from Constitution Avenue and north. There is a meeting scheduled for July 8, 2015 at 9:00 a.m. Brian Pysker stated that he would like to view the specs for their project.

6. Streets – Jon Faust reported that the street workers have been busy patching alleys and potholes and landscaping. They completed the prep work needed for the salt shed. Street Leader, Rich Fox, reported that once the material is ordered and delivered he will start the Jefferson Street project. George Hinton stated that the kitchen in the park has been professionally cleaned. The Firemen used the kitchen for the Firemen's Picnic and cleaned it after use. George requested that Rich smooth out the ruts made from the vehicles that were on the park lawn.

7. Parks – Dave Valley stated that the two concerts went well. The Park Board collected \$260.00 in donations at the first concert. The second concert attracted 300 guests yesterday. Rich Fox stated that a new hot water heater was installed in the large kitchen and a new toilet in the Little League Field House.

8. 911 – Tony Curcio had nothing to report.

9. Tipping Fees - Tony Curcio reported that we should be receiving a check from Waste Management within the next two weeks.
10. Regional Police – Mayor Shoemaker reported that there were 183 calls reported for the month of June. There is a Slate Belt Regional Police meeting scheduled for July 7, 2015 at 5:30 p.m. at the Plainfield Municipal Building. The bids to upgrade the police station in the Plainfield Municipal Building came in too high so the Commission has decided to re-advertise the project.
11. Park Master Plan – Joe Weaver reported that the contract with SGA has been signed. He will contact them for a start date.

## **MAYOR’S REPORT**

The Mayor reported that the Slate Belt Council of Governments (COG) will be meeting Wednesday, July 29, 2015 at 7:00 p.m.

The Mayor provided Council with a proposal to create a Slate Belt Area / Northern Gateway Comprehensive Plan. The Mayor read an overview of the proposal. “Currently, the Slate belt Area municipalities have a variety of comprehensive plans, with some municipalities participating in joint plans. With the exception of Portland Borough, most plans were adopted ten or more years ago and will need to be updated. Critical investment strategies and policy changes locally, regionally and nationally are changing our communities, infrastructure and economy. It is in the region’s interest to assist this significant portion of Northampton County to prepare for the new economy. A coordinated comprehensive plan is the first step to achieving this goal, by providing accurate, timely community analyses and developing a coordinated vision for these communities. The anticipated cost based on the scope, with a starting average cost share of \$20,000 per municipality. George Hinton questioned the fees being charged and the benefits of joining, when in fact, Northampton County is cutting funding to the Slate Belt. The Mayor said he would like to invite a representative from the COG to a Borough meeting in order to answer any questions. George Hinton said he will attend the next COG meeting with the Mayor.

The Mayor spoke about Ordinance 405, stating that he was receiving complaints about lots that have not been maintained on East First Street. Brian Pysher informed the Mayor that all complaints must be in written form for him to issue Enforcement Notices. Brian spoke to the current developer, who owns the properties until they are sold, and was informed that the properties will be cut by their landscape worker, but he is behind on the maintenance.

George Hinton stated that the Animal Control Officer, Phil Bell has resigned. The Mayor added that the COG is in the process of hiring a joint animal control officer (ACO).

## **NEW BUSINESS**

There were no New Business items on the agenda.

## **OLD BUSINESS**

1. Louise Firestone has been in touch with Ryan Ingham of Hough Associates who attended the meeting on June 16<sup>th</sup> to discuss Recycling Grants. Ryan stated that his company prepares Recycling Performance Grants for municipalities. Louise spoke with both Plainfield Township and Pen Argyl Borough who both utilize Hough Associates and would recommend their service.

**On Motion** by Kerry Glasser to use Hough Associates for our Recycling Grants and seconded by Tony Curcio. Roll call taken. Motion carried unanimously.

2. George Hinton stated that CSI submitted a revised proposal for a camera surveillance system in the Park. CSI is offering a two phase project using high resolution, low light cameras. The first phase consists of two cameras with wireless access and the option to add additional cameras. Brian Pysher stated that it is a good investment due to the vandalism that we have had at the Park the past few months. He added that CSI has done a good job at our Municipal Building and we have not had a problems dealing with them.

**On motion** by Tony Curcio to adjourn the meeting of July 6, 2015. Council agreed unanimously.

The meeting of July 6, 2015 adjourned at 9:07 p.m.

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Louise Firestone, Borough Administrator